

Amendments to the Drawings:

The attached sheets of drawings include the addition of Figures 10-1 to 10-9. No changes have been made to Figures 1 to 9; a courtesy copy of these drawings is attached.

Attachment: Complete Set of Figures 1 to 10-9 (17 Sheets)

REMARKS

Overview

Applicants have amended the specification to bodily include portions of U.S. Application No. 09/216,193, which was previously incorporated by reference in this application, as well as to add figures from the '193 application to the current application. The figure numbers of the figures from the '193 application have been changed by appending a "10-" to each figure (so that Figure 1 of the '193 application becomes Figure 10-1 in the current application) to prevent overlap with the prior figures of the application, and the corresponding references to those figures in the bodily incorporated portions of the '193 application have similarly been updated to reflect the new figure numbers. No new matter has been added by way of these amendments.

The Examiner has responded in the prior Office Action as follows: rejected claims 1, 2, and 79-81 under 35 U.S.C. § 103(a) as being unpatentable over Fado et al. (U.S. Patent No. 6,067,084) in view of Hochstedler (U.S. Patent No. 6,707,476); rejected claims 10-14, 16, 17, 19, 35-38, 40-42, and 60-78 under 35 U.S.C. § 103(a) as being unpatentable over Miller et al. (U.S. Patent No. 6,661,437) in view of Hochstedler (U.S. Patent No. 6,707,476); rejected claims 3-7 under 35 U.S.C. § 103(a) as being unpatentable over Fado et al. (U.S. Patent No. 6,067,084) in view of Hochstedler (U.S. Patent No. 6,707,476) further in view of Miller et al. (U.S. Patent No. 6,661,437); rejected claim 8 under 35 U.S.C. § 103(a) as being unpatentable over Fado et al. (U.S. Patent No. 6,067,084) in view of Hochstedler (U.S. Patent No. 6,707,476) further in view of Amezcua et al. (U.S. Patent No. 4,457,331); and rejected claims 15 and 39 under 35 U.S.C. § 103(a) as being unpatentable over Miller et al. (U.S. Patent No. 6,661,437) in view of Hochstedler (U.S. Patent No. 6,707,476) further in view of Amezcua et al. (U.S. Patent No. 4,458,331). Applicants note that the Examiner has not indicated a grounds for rejection of pending claim 9 in the most recent Office Action, but in order to facilitate prosecution, Applicants have discussed claim 9 below with respect to the Hochstedler reference in combination with other cited references - nonetheless, Applicants request that the Examiner

clarify in the next action whether claim 9 has been rejected, and if so clarify the grounds of the rejection.

Applicants hereby amend claims 1, 10, 19, 35, 61, 67, and 73 in order to clarify the subject matter of their invention, and further hereby add new claims 82 and 83. Thus, claims 1-19, 35-42, and 60-83 are now pending.

In addition, Applicants would like to thank Examiner Ke for his consideration during the telephone interview with Applicants' representative on March 7, 2004 on this application. During the interview, the lack of modeling of a user's current context in Hochstedler and the other cited references was discussed.

Analysis

The Examiner has rejected each of the previously pending claims 1-8, 10-19, 35-42 and 60-81 under 35 U.S.C. § 103(a) as being unpatentable over the Hochstedler reference in combination with one or both of Fado and Miller, and in some cases with further combination with one of Amezcua and Best. However, each of the pending claims includes features and provides functionality not disclosed by Hochstedler alone or in combination with the other references, and thus each of the pending claims is allowable.

The pending claims are generally related to using information about a model of a current context of a user operating a computing system in order to alter how the computing system interacts with the user in accordance with that context. By providing such user interaction alterations based on the current context of the user, a computing system can dynamically adapt to and optimize the interaction experience of the user based on current conditions. For example, independent computer-readable media claim 1 recites "display to a user operating the mobile computer a subset of a plurality of steps in an order to be performed by the user," "receive information about the user that includes sensed information from multiple sources such that sensed information from differing sources is at least partially in conflict; automatically build a model of the current context of the user by mediating amongst the sensed information from the multiple sources;" and "in response to the built model of the current context of the user, alter one or more of the subset of steps that needs to be performed by the user by altering multiple interaction elements that affect interactions with the user for the current step." Similarly, independent method claim 10 as amended recites "automatically generating a modeled current

context of a user operating a computing system based on information about the user obtained from multiple sources, the modeled current context of the user including one or more indications of a predicted mental state of the user;” and “receiving information sensed from an environment of the user by one or more sources; automatically updating the modeled current context of the user based at least in part on the received sensed information; in response to the updated modeled current context of the user, automatically determining one or more of multiple elements to alter regarding interactions with the user and altering the determined elements.”

Conversely, while at least some of the prior art is generally related to presenting information to users of devices about actions for tasks that are to be performed, none of the cited art references appear to receive and use information about a current context of the user operating the device for any purpose, let alone to alter how the user can interact with information being presented in such a manner as to reflect that current context. The Examiner recognized these failings of Fado and Miller, noting that “Fado fails to teach the method further receives information about a current context of the user . . .” and that “Miller fails to teach receiving information about a current context of the user.” (Office Action dated September 12, 2005, page 3, ¶ 2, and page 6, ¶ 5.)

However, the Examiner asserts that “Hochstedler teaches a method that further receives information about a current context of the user from a context awareness component that receives sensed information from multiple sources and that mediates amongst the multiple sources to build a model of the current context of the user (col. 1, lines 49-col 2, lines 20).” (Office Action dated September 12, 2005, page 4, ¶ 1.) While Hochstedler is generally directed to the display of information, as well as to modifying information display when a new sensor is added with respect to a medical patient under observation, the Examiner’s reliance on Hochstedler to teach or suggest using current context information for the user operating a computing system is misplaced. Instead, Hochstedler makes clear that the users of the disclosed patient monitoring system are medical staff, such as doctors and nurses, and are not the patients being monitored. As such, the data being displayed to a doctor user about some other monitored patient is no different from any other source of changing data that is unrelated to the user (*e.g.*, a stock ticker with changing stock information). Applicants can find no suggestion or motivation in Hochstedler that information about a modeled current context of a nurse or doctor is obtained and used to modify the user interface, much less that the modeled current context of a nurse or

doctor includes a predicted mental state of the user. Moreover, even if such information were available, Hochstedler provides no teaching or motivation regarding how such information would be used to adapt the interface for the user, and thus would be inoperable to perform the recited claim elements. It is only through impermissible hindsight reconstruction that such a wholesale alteration of Hochstedler to perform fundamentally different operations can be achieved.

Each of the other pending independent claims 19, 35, 74-80 and 82 recite similar language regarding receiving current context information for the user and using the received information to alter how the user can interact with information or options being presented. Therefore, since none of the cited references provide any teaching, suggestion or motivation related to using information about a current context of a user of a computing system in order to alter how the user interacts with information being presented in accordance with that context, each of the pending independent claims 1, 10, 19, 35, 74-80 and 82 are allowable over the references for at least that reason. Furthermore, since the pending dependent claims include the features of those claims from which they depend, they are each thus allowable for at least the same reasons as the independent claims. Moreover, the pending dependent claims also recite additional features lacking in the cited references, and are thus allowable on the basis of those features as well, although these additional features are not enumerated here for the sake of brevity.

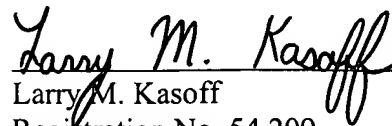
Conclusion

In light of the above remarks, Applicants respectfully submit that all of the pending claims are allowable. Applicants therefore respectfully request the Examiner to reconsider this application and timely allow all pending claims. If the Examiner has any questions or believes a telephone conference would expedite prosecution of this application, the Examiner is encouraged to call James A. D. White at (206) 694-4815.

Application No. 09/879,829
Reply to Office Action dated September 12, 2005

The Director is authorized to charge any additional fees due by way of this Amendment, or credit any overpayment, to our Deposit Account No. 19-1090.

Respectfully submitted,
SEED Intellectual Property Law Group PLLC



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Enclosure:
Postcard
Complete Set Of Figures 1 to 10-9 (17 Sheets)

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